

AGENDA
North Miami City Council
776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

REGULAR MEETING

TUESDAY, SEPTEMBER 23, 2014
7:00 P.M.

1. PLEDGE OF ALLEGIANCE

(Leslie Gonzalez, Student Government Association Governmental Relations Director, Miami-Dade College-North Campus)

2. INVOCATION

(Pastor Barbara Boyce, New Life Ministries)

3. CALL TO ORDER / ROLL CALL OF MEMBERS

4. ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

5. SPECIAL PRESENTATION(s)

◆ Consent Decree presentation by *Carlos Hernandez, Miami-Dade County*

6. CITY EVENTS – ANNOUNCEMENT

7. CITY PROJECTS UPDATE

8. HURRICANE PREPAREDNESS

9. CONSENT AGENDA

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH B CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:

“...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH B BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – September 9, 2014
1st Budget Hearing -- September 10, 2014

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND TO BE UTILIZED FOR TRAINING, TOWER FEES FOR RADIOS USED BY CODE ENFORCEMENT AND RENTAL VEHICLES TO BE USED BY THE CRIME SUPPRESSION / SPECIAL INVESTIGATIONS UNIT AND ADMINISTRATION.

Sponsored by: City Administration

Responsible Staff Person: Leonard Burgess, Chief of Police

10. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.

10.A. RESOLUTIONS

[TAB C]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RATIFYING AN AMENDMENT TO THE FISCAL YEAR 2013-14 AMENDED REVENUE AND EXPENSE BUDGET TO INCLUDE THE RECEIPT AND APPROPRIATION FOR A PUBLIC LIBRARY CONSTRUCTION GRANT FROM THE FLORIDA DEPARTMENT OF STATE, DIVISION OF LIBRARY AND INFORMATION SERVICES, IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Arthur Sorey III, Budget Director

[TAB D]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY IDENTIFIED BY MIAMI-DADE COUNTY FOLIO NO. 06-2219-000-1620, AS FURTHER IDENTIFIED BY THE MAP IN THE ATTACHED EXHIBIT “A”, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80, FLORIDA STATUTES, FOR THE PURPOSE OF ENVIRONMENTAL REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY CLERK TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D / Zoning Manager

[TAB E]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION’S SELECTION OF THE FAMILY RANCH INC., TO PROVIDE THE LABOR, SUPERVISION, MATERIALS, EQUIPMENT, TOOLS, MACHINERY, EXPERTISE, AND OTHER SERVICES NECESSARY FOR COMPREHENSIVE EQUINE MANAGEMENT SERVICES AT THE ENCHANTED FOREST ELAINE GORDON PARK EQUESTRIAN CENTER, IN ACCORDANCE WITH THE TERMS, CONDITIONS, AND SPECIFICATIONS CONTAINED IN THE REQUEST FOR PROPOSAL NO. 45-13-14A; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE FAMILY RANCH INC., IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE PROVISION OF SERVICES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Derrick Corker, Parks & Recreation Manager

[TAB F]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND ADOPTING THE ATTACHED POLICY FOR PERMITTING COMMERCIAL USE OF DEDICATED CITY PARKLANDS AND FACILITIES FOR PERSONAL TRAINING AND OTHER OUTDOOR PRIVATE PROFESSIONAL SERVICES, TO BE IMPLEMENTED AND ENFORCED BY THE PARKS AND RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Derrick Corker, Parks & Recreation Manager

[TAB G]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND AUTHORIZING NEW RECREATION PROGRAMS, ACTIVITIES AND RENTAL FEES FOR THE PARKS AND RECREATION DEPARTMENT FOR FISCAL YEAR 2014-2015; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Derrick Corker, Parks & Recreation Manager

[TAB H]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SELECTION OF BROWN & BROWN OF FLORIDA, INC., FOR THE PROVISION OF INSURANCE COVERAGE AS REQUIRED BY LAW, AND IN ACCORDANCE WITH THE TERMS, CONDITIONS, AND SPECIFICATIONS CONTAINED IN THE REQUEST FOR PROPOSAL NO. 51-13-14 EXCESS WORKERS' COMPENSATION INSURANCE COVERAGE SERVICES; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE INSURANCE COVERAGE PERIOD COMMENCING OCTOBER 1, 2014 THROUGH OCTOBER 1, 2015, AT A COST NOT TO EXCEED ONE HUNDRED TWENTY THOUSAND NINE HUNDRED THREE DOLLARS (\$120,903.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Karen Muir, Risk Manager

[TAB I]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, CREATING A COMMITTEE KNOWN AS "INTERIM BOARD MEMBERS OF MOCA" TO SUPPORT THE TRANSITION AND NEW DIRECTION OF THE MUSEUM OF CONTEMPORARY ART IN NORTH MIAMI, (MOCA, NORTH MIAMI), PURSUANT TO THE PENDING FINALIZATION OF A SETTLEMENT AGREEMENT IN THE CASE STYLED AS MUSEUM OF CONTEMPORARY ART, INC., V. CITY OF NORTH MIAMI, ET AL.; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Babacar Mbow, MOCA Director

[TAB J]

PROPOSED RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE A SETTLEMENT AGREEMENT IN THE LITIGATION MATTER OF COASTLAND CONSTRUCTION, INC. V. CITY OF NORTH MIAMI, CASE NO. 13-12127 CA 01, UPON THE EXECUTION OF A GENERAL RELEASE, DISCHARGING THE CITY OF NORTH MIAMI, ITS OFFICERS, AGENTS AND SERVANTS AGAINST ANY AND ALL CLAIMS AND DEMANDS IN CONNECTION WITH THIS ACTION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

10.B. LEGISLATIVE MATTERS – [NONE]

10.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING

[TAB K]

PROPOSED ORDINANCE (*SECOND READING*) OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, DELETING ALL REFERENCES TO THE PROHIBITION AND VIOLATION OF THE SELLING, PURCHASING, ACQUIRING OR MAINTAINING PIT BULLS WITHIN THE BORDERS OF THE CITY OF NORTH MIAMI AND THEREBY REPEALING CHAPTER 4 OF THE CODE OF ORDINANCES, ENTITLED “ANIMAL CONTROL,” AT ARTICLE II, ENTITLED “DOG CONTROL” SPECIFICALLY AT SECTION 4-27, ENTITLED “PIT BULL DOGS PROHIBITED”; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

Sponsored by: Councilman Scott Galvin

[TAB L]

PROPOSED ORDINANCE (*SECOND READING*) OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, RELOCATING ARTICLE V, ENTITLED “BURGLAR ALARMS” FROM CHAPTER 12 OF THE CODE OF ORDINANCES TO CHAPTER 13, ENTITLED “OFFENSES”; PROVIDING FOR REPEAL, CONFLICTS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

Sponsored by: City Administration

10.B.2. ORDINANCES – FIRST READING

[TAB M]

PROPOSED ORDINANCE (*FIRST READING*) OF THE OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES, ENTITLED “BUILDING STANDARDS AND REGULATIONS” TO INCLUDE PROVISIONS FOR MAINTENANCE OF PROPERTY, LANDSCAPING, WALLS, FENCES, AND EXTERIOR PROPERTY AREAS AND PROVIDING FOR THE RELOCATION OF ARTICLE VII ENTITLED “ABANDONED REAL PROPERTY REGISTRATION” TO

CHAPTER 12 OF THE CODE OF ORDINANCES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Sponsored by: City Administration

[TAB N]

PROPOSED ORDINANCE (*FIRST READING*) OF THE OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE III, DIVISION 2, ENTITLED “GENERAL DEVELOPMENT REVIEW PROCEDURES”, SPECIFICALLY AT SECTION 3-210, ENTITLED “CERTIFICATE OF RE-OCCUPANCY” REQUIRING A CERTIFICATE OF RE-OCCUPANCY EACH TIME THERE IS A TRANSFER OF TITLE OF REAL PROPERTY TO ENSURE COMPLIANCE WITH THE ZONING DISTRICT REQUIREMENTS SET FORTH IN THE LAND DEVELOPMENT REGULATIONS, AND ALLOWING FOR THE ISSUANCE OF CONDITIONAL CERTIFICATES OF RE-OCCUPANCY WHERE LIFE SAFETY VIOLATIONS EXIST; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

Sponsored by: Councilwoman Carol Keys, Esq.

10.C. QUASI-JUDICIAL ITEM(s)

11. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB O]

DISCUSSION REGARDING THE RE-ESTABLISHMENT OF THE CODE ENFORCEMENT BOARD.

Sponsored by: Councilwoman Carol Keys, Esq.

12. CITIZENS’ FORUM

13. COUNCIL REPORTS

Vice Mayor as Acting Mayor Philippe Bien-Aime

Councilwoman Carol Keys, Esq.

Councilman Scott Galvin

Councilwoman Marie Erlande Steril

14. CITY CLERK’S REPORT

15. CITY ATTORNEY’S REPORT

16. CITY MANAGER’S REPORT

17. ADJOURNMENT

- THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12142.
- IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936. ANY DECISION MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
- AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.
- IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.
- TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING.
- THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

ALCOHOLIC BEVERAGE SYMBOLS

- 1-COP Beer only, Consumption on Premises
- 2-COP Beer and Wine, Consumption on Premises
- 4-COP Beer, Wine and Alcohol, Consumption on Premises
- 1-APS Beer, Package Sales Only
- 2-APS Beer and Wine, Package Sales Only
- 3-APS Beer, Wine and Alcohol, Package Sales Only

ZONING SYMBOLS

- R-1 Residential Estate District
- R-2 Single-Family District
- R-4 Multi-Family District
- R-5 Multi-Family District
- R-6 Multi-Family District
- RO Residential Office District

ZONING SYMBOLS (continue)

- C-1 Commercial District
- C-3 Commercial District
- C-2BE Commercial District
- C-2BW Commercial District
- M-1 Industrial District
- PU Public Use District
- PD Planned Development District
- AOD Arts, Culture and Design Overlay District
- NRO Neighborhood Redevelopment District